**HIGH COURT OF UTTARANCHAL AT NAINITAL**

Bail Application No. 1069 of 2006

CRIMINAL SIDE

Usman s/o Sri Yaseen
Village Bodahedi, P.S. Pathri,
District Haridwar ....Accused/Applicant

Versus

State of Uttaranchal ..... Opposite Party

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Case Crime No. 300 of 2006
Under Sections 394, 411 I.P.C.
P.S. Jwalapur, District Haridwar

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Dated: 11.12.2006

By the Court

**Hon'ble Rajesh Tandon, J.**

Heard Sri Vivek Shukla, Advocate for the applicant and the A.G.A. for the prosecution.

Accused applicant Usman has applied for bail in case crime No. 300 of 2006 under Sections 394, 411 I.P.C. P.S. Jwalapur, District Haridwar.

Counsel for the applicant has submitted that the loot was allegedly committed on 1.7.2006, where more than of Rs.43,000/- were looted by the miscreants from a petrol pump, while a meager sum of Rs.7,925/- was recovered from the accused applicant on 3.8.2006. Counsel for the applicant has assailed the said recovery on the ground that firstly it was

highly belated after one month of the F.I.R. and secondly; the amount could not be identified to be pat of the looted amount.

I have considered the respective submissions of the parties. Without expressing anything on the merit of the case and considering the totality of facts and circumstances, in my opinion, it is a fit case for bail.

Let the accused applicant be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

**Rajesh Tandon, J.**

Dated: 11.12.2006
*Dhyani